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SUBJECT: CODEL SCHIFF MEETS WITH ARMENIAN MPS AND
OPPOSITION MOVEMENT

REF: YEREVAN 485

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Classified By: USAID Director Robin Phillips, reasons 1.5 (b,d).

¶1. (C) Summary. U.S. Representatives Adam Schiff, Wayne Gilchrest, and Allyson Schwartz, accompanied by the Charge, met with a wide range of parliamentary and opposition representatives on May 25 to discuss the state of democratic reform in Armenia following the March 1 post-election violence. Opposition movement advisors painted a bleak picture of a "very deep political crisis" and urged the USG to send a strong political message to the GOAM decrying the post election crackdown. Parliamentary opposition Heritage Party members described to the CODEL a pro-government dominated, rubber-stamp parliament that chose not to exercise its oversight authority. Heritage members suggested the USG should hold Armenia to international standards and not accept comparative judgments that made Armenia's elections seem better than they were. Majority ruling coalition members conversely accepted the OSCE's election observation findings, and contended that curbs on civil liberties enacted after the elections had been necessary for state security and stability. Both the opposition movement and the pro-government ruling coalition advocated continuing the MCC program in Armenia. End Summary.

The View from LTP

¶2. (C) Congressional Delegation (CODEL) members U.S. Representatives Adam Schiff, Wayne Gilchrest, and Allyson Schwartz, accompanied by the Charge, met with Levon Ter-Petrosian (LTP) representatives Levon Zurabian, Avetis Avakian, and Arman Musinian on May 25 to receive the opposition's perspective on the February presidential elections, the post election violence, and the state of media freedoms in Armenia. Zurabian characterized the current state of affairs as a "very deep political crisis" which began with the fabrication of over 500,000 votes during the presidential election. Zurabian went on to catalogue a laundry list of politically-motivated prosecutions against opposition supporters, where defendants were receiving inordinately harsh prison terms for relatively minor offenses. Zurabian recounted statements from multiple prosecution witnesses who admitted to being intimidated into giving false testimony in trials. While these prosecution cases were ongoing, the government had not yet launched any investigation into the March 1 deaths, nor started any inquiries into who gave the order to break up the March 1 protesters.

¶3. (C) According to Zurabian, the post-election political crisis and bloodshed had resulted in an unprecedented

consolidated opposition movement that now comprised 23 groups under the leadership of LTP. Zurabian likened the movement to Poland's Solidarity, and noted that the movement included non-governmental organizations that had joined after the March 1 violence when the movement changed from a political to social struggle. Zurabian noted that there had been a relaxation of tensions following President Sargsian's April 9 inauguration, but the opposition's April 24 demonstrations and May 2 Congress had shown the ruling regime that the public was not accepting the current political reality, and, as a result, the government began a new wave of crackdowns and arrests.

¶4. (C) Zurabian averred that the government and opposition needed to negotiate to find a way out of the current crisis, but the political prisoners detained after the elections were a permanent obstacle to dialogue. According to Zurabian, ninety-nine people were now being held for their political views. Sixteen of these had been initially beaten after their arrests, but treatment of all political prisoners was now better. The government had initially denied prisoners visits by their families and lawyers, but such visits were now possible. Zurabian stated that the opposition could not enter negotiations while these political prisoners were being held as hostages. Zurabian predicted that popular discontent, tension and protest gatherings would result if the government did not release the political prisoners.

¶5. (C) According to Zurabian, LTP's philosophy was peaceful and the opposition wanted to engage in a peaceful political process, but this was being stifled by the GOAM. Musinian added that the current law banning rallies and demonstrations was killing normal politics, as were the actions of the compliant National Assembly to strip four deputies of their immunity for joining the opposition movement, allowing the

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GOAM to subsequently jail these former MPs. Both steps were clear attempts by the GOAM to strangle the opposition movement, Musinian said.

LTP Advisors on Press Freedoms

¶6. (C) In response to Congressman Schiff's questions on the extent to which the media was reporting the opposition's views, Zurabian replied that print media was free to report on current events, but television outlets were tightly controlled by the government. The government had allowed the LTP opposition to go on state public TV temporarily while Council of Europe media monitoring was ongoing, but Zurabian predicted the government would likely revert to state censorship once the monitoring period ended.

LTP's Way Forward

¶7. (C) Zurabian suggested that the USG send a clear message to GOAM that the Sargsian government could not get away with their politically-motivated prosecutions and crackdowns on the freedom of press and assembly. There should be a strong statement that the GOAM must meet the Council of Europe's principles. Armenia needed both international and domestic pressure to force improvements from the GOAM. Zurabian advocated political, but not economic, sanctions to this end. It was important not to punish the Armenian people for the GOAM's actions, just the political leadership. For this reason, LTP's position on the Millennium Challenge Corporation (MCC) program in Armenia was to not cut the program. Zurabian conceded that continuing MCC may enhance Sargsian's stature at home, but Zurabian discounted this possibility, stating LTP's opposition movement could win politically at home. Zurabian also suggested using U.S. influence in the OSCE to strengthen the language of the OSCE's final election report to include changing the final conclusion; imposing real penalties if Armenia does not meet

the June deadline for fulfilling its Council of Europe requirements; and possibly refusing U.S. visas to members of the GOAM.

¶8. (C) Avakian was cautious in his opinion on the proposed parliamentary investigatory commission on the March 1 violence, noting that the commission's composition as well as its deliberative process would affect its overall effectiveness. The opposition wanted equal representation between the ruling coalition and the opposition movement on the commission, with LTP empowered to choose extra-parliamentary opposition representatives. The commission should investigate only the March 1 deaths, and leave politics for separate political negotiations. The opposition's favored political solution included pre-term presidential and parliamentary elections, Zurabian said. In accordance with the Armenian constitution, President Sargsian would need to resign or be impeached to trigger the pre-term presidential election. Zurabian stated the opposition movement hoped to negotiate clear rules of political competition and then to come to power through pre-term elections. Zurabian adamantly stated the opposition movement would not break Armenian law.

The Parliamentary Opposition: Heritage Party

¶9. (C) CODEL members and Charge also met on May 25 with members of the parliamentary opposition Heritage Party Stepan Safarian, Laris Alaverdian, and Armen Martirosian to discuss how the opposition party functions in parliament and what outlets are available to communicate opposition views to the public. Safarian noted that Heritage had 7 of 131 seats in the National Assembly and was the only opposition party in parliament. The opposition historically had been without access to television due to government control of the media, though this had changed recently with the Council of Europe monitoring mission in Armenia. The public was now able to gain information about the opposition from television.

Heritage MPs Report on Election Violence

¶10. (C) Safarian noted that he and all six of his Heritage Party colleagues in parliament had been observers during the presidential election, where they faced harassment from the police, and had been at the March 1 demonstrations. All seven had seen provocateurs among the March 1 protestors. To date,

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no one has been prosecuted for election day violations or the March 1 provocations, and the Prosecutor's Office was pressuring the Heritage MPs to drop their complaints because the government authorities didn't want to punish vote fraud perpetrators.

¶11. (C) According to Safarian, the provocateurs at the March 1 demonstrations were provided by oligarchs supportive of the government. Provocateurs arrived much later than demonstrators and infiltrated the crowd to provide pretext for the police crackdown and subsequent State of Emergency. The State of Emergency, which Musinyan stated the GOAM planned for in advance, significantly strengthened the GOAM's hand during the following legal challenges to the presidential election results.

Heritage's Role in LTP Opposition

¶12. (C) Safarian stated that the Heritage Party did not always share the same positions as LTP, but because Heritage did not have their own presidential candidate in the February elections, they had encouraged their constituents to vote for LTP as the only representative of the opposition. Heritage's affiliation with LTP's presidential campaign was weak, with Heritage trying to embody and promote the middle ground.

Alaverdian continued that since the elections and March 1 violence, Heritage's constituents have moved more toward LTP and therefore, although Heritage does not support all of LTP's political views, Heritage must stand with and support their constituents who are now with LTP's opposition movement.

Heritage: Parliament is a Rubber Stamp

¶13. (C) In describing the workings of the National Assembly, Safarian state that the parliament was not independent, but rather an appendage of, and rubber stamp for, the executive branch. Among the majority ruling coalition, there was no understanding of parliament's oversight role. The ruling coalition believed it should not ask tough questions of the president, nor should it interfere with the president who was of their own coalition.

¶14. (C) Safarian continued that parliament was not a check on the executive branch because there was no balance between the parliamentary opposition and the majority ruling coalition. The majority automatically vetoed all opposition legislation without debate. Recently, the Council of Europe had made recommendation to augment the opposition's power in parliament. Even if these recommendation were implemented, Safarian believed, the problem would remain that the majority ruling coalition would continue to be loath to use any of its power to check the executive.

¶15. (C) Minasian discounted the possibility of the opposition using the ballot box to gain greater power through electoral coalitions. Minasian stated that the GOAM's use of administrative resources, vote buying, intimidation, ballot stuffing, carousel voting, and other election violations made the ballot an unreliable measure of public preference, and the Central Election Commission would endorse any and all of the government's jerry-rigged results.

Heritage's Way Forward

¶16. (C) Safarian suggested that the USG could be helpful in the current situation by not/not giving Armenia a higher mark than it deserved for its recent presidential elections. The USG should not support international organizations' "good enough for you" comparative evaluation of the elections. Unwarranted approval of the government's actions by international observers hindered Heritage Party's actions to advocate for process improvements that really do meet international standards. The U.S. should give stringent requirements to both the GOAM and to the opposition, with clear negative consequences if progress is not made on democratic reform. Finally, Alaverdian suggested that, to be more effective, international organizations' pre-election democracy, rule-of-law, and monitoring programs needed to start far earlier in the election cycle. In Armenia today, said Alaverdian, the election's winner was chosen and elections tied up well before the international organizations arrived.

The Pro-Government Ruling Coalition

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¶17. (C) CODEL members and the Charge lastly met on May 25 with parliamentary members of the pro-government ruling coalition Samvel Nikoyan (Republican Party), Naira Zohrabian (Prosperous Armenia Party), Asrtashes Avoyan (Orinats Yerkir), and Artsvik Minasian (ARF) for their perspective on the best way forward after the recent election violence.

Ruling Coalition on Slipping U.S. Relations

¶18. (C) Republican Party representative Samvel Nikoyan

conceded that the presidential election was not perfect, but his party accepted the assessment from OSCE's ODIHR that the elections were largely in accordance with international standards with some shortcomings. Nikoyan hoped the U.S. assessment of the election would be similar to the OSCE's assessment. Unfortunately, in the post-election period USG actions have pushed Armenia away from the U.S., said Nikoyan, while Russia has pulled Armenia toward it. This was disrupting Armenia's complementarian foreign policy. Nikoyan requested the U.S. help to maintain Armenian's complimentarian foreign policy by strengthening U.S.-Armenian ties. Today, however, there was ambiguity in the USG's role in Armenia, especially when considering the USG support of RFE/RL's Radio Liberty which, Nikoyan stated, was providing biased news coverage and had become "the media wing of a colored revolution" in Armenia. The GOAM needed USG support to fight corruption in Armenia's government, because GOAM had opposition to this fight both within and without its government. Nikoyan noted that Armenia also needed Millennium Challenge Corporation's economic assistance, though it would be difficult for Armenia to accept this assistance if the U.S. used the program to pressure the government and to forward political, vice economic, agendas. Nikoyan requested a new U.S. ambassador to Armenia be confirmed as soon as possible to help strengthen U.S.-Armenia relations.

¶19. (C) Congressman Schiff replied to Nikoyan's comments by stating that allies do each other no favors by ignoring real problems, and that candid talk and even criticism should not be confused with a lack of support. MCC had seventeen criteria that Armenia originally had met in order to join the program, and which Armenia must continue to meet in order to remain eligible. Whether or not the criteria were met depended on how Armenia's parliament and president addressed the recent political crisis and post election violence. The U.S. was not pushing Armenia away, but Armenia should balance relations between the U.S. and Russia to not become too dependent on any one power. The U.S. clearly found democracy the best way forward, but Armenia had to choose its own path.

Ruling Coalition's Legislative Agenda

¶20. (C) Naira Zohrabian of the Prosperous Armenia Party detailed the ruling coalition's legislative agenda, noting that democracy was a dynamic process and the National Assembly was taking the steps recommended by the Council of Europe to support democracy in Armenia. The ruling coalition would soon introduce new legislation on free and responsible media, on anti-corruption, on steps to strengthen the opposition, and on a Russian-style public advisory council. Zohrabian accepted that the law on rallies enacted under the State of Emergency was a step backward for civil liberties, but the law had been necessary, much like the U.S. PATRIOT Act, in order to protect the interests of the state over those of the individual. Now, however, parliament was re-introducing elements of the original law on rallies, and creating a temporary committee to investigate the March 1 events. Zohrabian stated that international recognition was important to the ruling coalition, and the members were ready to take steps to restore Armenia's international image.

Ruling Coalition: Stability Job #1

¶21. (C) Armenian Revolutionary Front (Dashnaks) representative Artsvik Minasian outlined his party's platform to support regional security and Armenian nationalism. The Dashnaks had had their own candidate in the presidential election, who had won 6% of the vote, and the Dashnaks did not support the fraud or the methods used by both sides during the election. The elections had created tension in the country and ran counter to the Dashnaks' focus on stability and security. Therefore, the Dashnaks had decided

to join the ruling coalition after the elections to share responsibility between the people and the state. According to Minasian, being outside the ruling coalition and critical of it destabilized the country. Minasian warned against those who would use the current events to create further instability in the country. Such as result would only be in interest of certain parties who wanted to strengthen the authorities, Minasian said.

¶22. (C) Orinats Yerkir representative Artashes Avoyan vowed that while his party had investigated vote fraud and irregularities in the presidential election, they did not think the scope of the fraud was significant enough to alter the election results. Their candidate Artur Bagdassarian had received 18% of the popular vote, and after the election Orinats Yerkir accepted the majority's offer to join the ruling coalition. Orinats Yerkir was introducing legislation to improve the opposition's access to TV and radio, and the party looked forward to the June parliamentary investigatory commission. Like Nikoyan, Avoyan stated it was important for MCC to continue in Armenia.

¶23. (U) Embassy Yerevan thanks CODEL Schiff for its successful visit in Yerevan, and appreciates the CODEL,s assistance in emphasizing with members of parliament and the opposition the importance of democratic reforms and constructive dialogue.

¶24. (U) CODEL Schiff has not had an opportunity to clear this message.

PENNINGTON